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Dkt. 0218/66307/JPW/FHB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

Applicants : Wen Dong Song et al.
Serial No. : 10/059,940
Filed : January 29, 2002
For : METHOD AND APPARATUS FOR DEFLASHING OF
INTEGRATED CIRCUIT PACKAGES

1185 Avenue Of The Americas
New York, New York 10036
January 24, 2003

Commissioner for Patents and Trademarks
Washington, D.C. 20231-9999

Sir:

TRANSMITTAL OF VERIFIED STATEMENT
(DECLARATION) CLAIMING SMALL ENTITY STATUS UNDER
37 C.F.R. §1.9(f) AND §1.27(c)

Data Storage Institute, the assignee, submits herewith a Verified Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. §1.9(f) and §1.27(d) as **Exhibit A**. This Verified Statement is signed by Chong Tow Chong, the authorized official of the assignee of record, Data Storage Institute.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

John P. White
Registration No. 28,678
Attorney for Applicants
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I hereby certify that this correspondence
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John P. White
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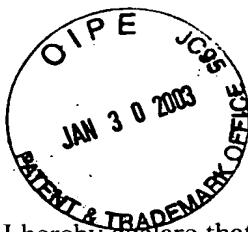
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Applicant or Patentee: Wen Dong Song, et al.

Serial or Patent No.: _____

Filed or Issued: _____

Title of Invention or Patent: METHOD AND APPARATUS FOR DEFLASHING OF INTEGRATED CIRCUIT PACKAGES

**VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS UNDER 37 C.F.R. §1.27(c)
AND §1.27(a)(3) - NONPROFIT ORGANIZATION**

COPY

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: Data Storage InstituteAddress of Organization: DSI Building, 5 Engineering Drive 1 (Off Kent Ridge Crescent, NUS), Singapore 117608**TYPE OF ORGANIZATION:**

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE 26 U.S.C. §§501(a) AND 501(c)(3)
- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
- NAME OF STATE: _____ CITATION OF STATUTE: _____
- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
- NAME OF STATE: _____ CITATION OF STATUTE: _____
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE 26 U.S.C. §§501(a) AND 501(c)(3) IF LOCATED IN THE UNITED STATES OF AMERICA

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. §1.27(a)(3)^b for purposes of paying reduced fees under 35 U.S.C. §41(a) and §41(b), with regard to the invention entitled

METHOD AND APPARATUS FOR DEFLASHING OF INTEGRATED CIRCUIT PACKAGES

by inventor(s) Wen Dong Song, Minghui Hong, Chengwu An and Yong Feng Lu

Described in:

- the specification filed herewith
- application serial no. _____ filed _____
- Patent No. _____ issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each person, concern or organization known to have rights to the invention is listed below^a and no rights to the invention are held by any person, other than the inventor, who could not qualify as a person under 37 C.F.R. §1.27(a)(1)^b, any concern which could not qualify as a small business concern under 37 C.F.R. §1.27(a)(2)^b or as a nonprofit organization under 37 C.F.R. §1.27(a)(3)^b.

Name: N/A

Address: _____

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 Individual Small Business Concern Nonprofit Organization

^a NOTE: Separate verified statements are required for each named person, concern, or organization having rights to the invention averring to their status as small entities. 37 C.F.R. §1.27.

^b See page three.

^c See page four.

37 C.F.R. §§1.27(a)(1), 1.27(a)(2), 1.27(a)(3)

(a)(1) Person. A person, as used in paragraph (c) of this section, means any inventor or other individual (e.g., an individual to whom an inventor has transferred some rights in the invention), who has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention. An inventor or other individual who has transferred some rights, or is under an obligation to transfer some rights in the invention to one or more parties, can also qualify for small entity status if all the parties who have had rights in the invention transferred to them also qualify for small entity status either as a person, small business concern, or nonprofit organization under this section.

(a)(2) Small business concern. A small business concern, as used in paragraph (c) of this section, means any business concern that:

- (i) Has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person, concern, or organization which would not qualify for small entity status as a person, small business concern, or nonprofit organization.
- (ii) Meets the standards set forth in 13 CFR part 121 to be eligible for reduced patent fees. Questions related to standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, S.W., Washington, D.C. 20416.

(a)(3) Nonprofit Organization. A nonprofit organization, as used in paragraph (c) of this section, means any nonprofit organization that:

- (i) Has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person, concern, or organization which would not qualify as a person, small business concern, or a nonprofit organization, and
- (ii) Is either:
 - (A) A university or other institution of higher education located in any country;
 - (B) An organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 U.S.C. 501(a));
 - (C) Any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 U.S.C. 201(i)); or
 - (D) Any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under paragraphs (a)(3)(ii)(B) of this section or (a)(3)(ii)(C) of this section if it were located in this country.

13 C.F.R. §121.3-18 Definition of small business for paying reduced patent fees under Title 35, U.S. Code.

(a) Pursuant to Pub. L. 97-247, a small business concern for purposes of paying reduced fees under 35 U.S. Code 41(a) and (b) to the Patent and Trademark Office means any business concern (1) whose number of employees, including those of its affiliates, does not exceed 500 persons and (2) which has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section. For the purpose of this section concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the persons employed during each of the pay periods of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern.

(b) If the Patent and Trademark Office determines that a concern is not eligible as a small business concern within this section, the concern shall have a right to appeal that determination to the Small Business Administration. The Patent and Trademark Office shall transmit its written decision and the pertinent size determination file to the SBA in the event of such adverse determination and size appeal. Such appeals by concerns should be submitted to the SBA at 1441 L. Street, N.W., Washington, D.C. 20416.(Attention: SBA Office of General Counsel). The appeal should state the basis upon which it is claimed that the Patent and Trademark Office initial size determination on the concern was in error; and the facts and arguments supporting the concern's claimed status as a small business concern under this section.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. §1.27(g)(2)c.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Chong Tow Chong

Title In Organization: Director

Address: Data Storage Institute, DSI Building, 5 Engineering Drive 1 (Off Kent Ridge Crescent, NUS), Singapore 117608

Signature: 

Date of Signature: 12 December 2002

37 C.F.R. §1.27(g)(2)

(2) Notification of loss of entitlement to small entity status is required when issue and maintenance fees are due. Notification of a loss of entitlement to small entity status must be filed in the application or patent prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity as defined in paragraph (a) of this section is no longer appropriate. The notification that small entity status is no longer appropriate must be signed by a party identified in § 1.33(b). Payment of a fee in other than the small entity amount is not sufficient notification that small entity status is no longer appropriate.